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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,418	03/30/2004	Craig A. Hobbs	60001.0306US01/MS305255.1	5641

7590 04/05/2007 Christopher J. Leonard Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903	EXAMINER
	NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
	10/813,418	HOBBS, CRAIG A.
Office Action Summary	Examiner	Art Unit	
	Maikhanh Nguyen	2176	.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>01/17/2007</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-23</u> is/are pending in the application.

     4a) Of the above claim(s) <u>1-10 and 23</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>11-22</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>30 March 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some *   c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communication: Response to Election / Restriction filed

01/17/2007 to the original application filed 03/30/2004.

Claims 11-22 are presented for examination. Claim 11 is an independent claim. Claims 1-

10 and 23 are withdrawn from consideration.

Applicant is required to cancel non-elected claims 1-10 and 23 in the next response to

this office action.

Election/Restrictions

2.   Applicant's election without traverse of group II (claims 11-22) in the reply filed on

01/17/2007 is acknowledged.

Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Comer et al.** (U.S. Pat. No.: 6430584, issued 08/06/2002).

As to claim 11:

Comer teaches a method of formulaically specifying the redirection or modification of a formula in a spreadsheet application *(e.g., spreadsheet application)* at formula set-time *(see the Abstract and Figs. 3-5 and the associated text)*, comprising:

- setting a spreadsheet formula to a first spreadsheet cell *(e.g., Data in the form of text or numerical values may be entered into each cell. Individual cells can also contain functions which operate on data or functions contained in other cells. The functions are denoted by use of a descriptor entry, such as an "=" sign, which indicates to the spreadsheet program that the author has entered a formula in the cell as opposed to data. For purposes of explanation, numerical data is entered in each of the cells, with column A cells containing the number "1", column B cells containing the number "2", column C cells containing the number "3", and so on. A focus frame 54 is active in the cell space 52 to identify one or more cells. The author moves or changes the size of the focus frame 54 using the mouse or keyboard. For example, when an author selects cells with a mouse, the author typically moves the mouse over the first cell in the selection, presses and holds the mouse's left button, and moves the mouse to the last cell in the selection. As the*

mouse moves with the left button depressed, any cells between the starting cell and the current cell are selected; col.4, lines 26-47);

- in response to setting the spreadsheet formula to the first spreadsheet cell, obtaining a formula previously set to the spreadsheet cell *(e.g., The spreadsheet program includes an auto-calculator module that performs calculations automatically on the fly as the author selects cells, without requiring the author to enter a formula in a cell. The auto-calculator computes a preset function using the selected cells as those cells are selected. The function may be based upon the cell itself or its position within the cell space. For instance, the function "Column" returns the column number of the selected cell and the function "Rows" returns the number of rows in the selection. The function may also be based upon the data contents within the cells. For instance, the function "Sum" adds all of the values in the selected cells and the function "Max" returns the maximum value of all values in the selected cells; col.5, lines 8-22);*

- determining whether data associated with the first spreadsheet cell should be redirected to a second spreadsheet cell in response to setting the spreadsheet formula to the first spreadsheet cell; and if data associated with the first spreadsheet cell should be redirected to the second spreadsheet cell, redirecting data associated with the first spreadsheet cell to the second spreadsheet cell for entry into the second spreadsheet cell *(e.g., the auto-calculator is configured to compute the function each time a new cell or group of cells is selected...the auto-calculator re-computes the sum as the author slides the pointer from block B2 to*

the twelve cell selection and then again as the author slides the pointer to form

the fifteen cell selection. The results are immediately displayed with each

computation and thus the author can view a changing value as he/she alters the

selection by moving the pointer about the spreadsheet...the auto-calculator

caches or temporarily stores in memory the results of the present selection. When

the author selects another cell or group of cells, the auto-calculator uses the

stored results and the new value(s) to derive a new result, which is then cached...

When the author moves the pointer to add cells F2-F4, the auto-calculator

retrieves the previous result "42" from memory and adds the new cell values (a

total of 18) to compute a new result of "60"; col.5, line 45-col.6, line 9).

As to claim 12:

Comer teaches prior to obtaining a formula previously set to the first spreadsheet cell,

parsing the spreadsheet formula set to the first spreadsheet cell to determine any required

evaluation or recalculation caused by the spreadsheet formula set to the first spreadsheet

cell. *(col.5, lines 8-37 and col.6, lines 48-64).*

As to claim 13:

Comer teaches the spreadsheet formula set to the first spreadsheet cell comprises a value

to be evaluated by the formula previously set to the first spreadsheet cell. *(col.5, lines 45-*

65).

As to claim 14:

Comer teaches determining a cell reference for a second spreadsheet cell from the spreadsheet formula set to the first spreadsheet cell. *(col.4, lines 15-53).*

As to claim 15:

Comer teaches if no cell reference for a second spreadsheet cell is determined from the spreadsheet formula set to the first spreadsheet cell, determining a cell reference for the second spreadsheet cell from the spreadsheet formula previously set to the first spreadsheet cell *(col.4, lines 15-67 and col.5, lines 8-37).*

As to claim 16:

Comer teaches redirecting data associated with the first spreadsheet cell to the second spreadsheet cell includes redirecting data associated with the first spreadsheet cell to the second spreadsheet cell for evaluation by a spreadsheet formula set to the second spreadsheet cell *(col.5, line 45-col.6, line 9).*

As to claim 17:

Comer teaches redirecting data associated with the first spreadsheet cell to the second spreadsheet cell for entry into the second spreadsheet cell includes redirecting data associated with the first spreadsheet cell to the second spreadsheet cell for modifying a spreadsheet formula set to the second spreadsheet cell *(col.6, lines 30-64).*

As to claim 18:

Comer teaches if data associated with the first spreadsheet should be redirected to the second spreadsheet cell, determining whether the spreadsheet formula previously set to the first spreadsheet cell requires evaluation in response to the spreadsheet formula set to the spreadsheet cell *(col.5, line 45-col.6, line 9)*.

As to claim 19:

Comer teaches evaluating the spreadsheet formula previously set to the first spreadsheet cell in response to the spreadsheet formula set to the first spreadsheet cell *(col.3, line 64-col.4, line 34)*.

As to claim 20:

Comer teaches passing an evaluated result of evaluating the spreadsheet formula previously set to the first spreadsheet cell to the second spreadsheet cell *(col.5, lines 45-67)*.

As to claim 21:

Comer teaches passing the evaluated result of evaluating the spreadsheet formula previously set to the first spreadsheet cell for evaluation by a spreadsheet formula set to the second spreadsheet cell *(col.5, lines 45-67)*.

As to claim 22:

Comer teaches passing the evaluated result of evaluating the spreadsheet formula previously set to the first spreadsheet cell for modifying a spreadsheet formula set to the second spreadsheet cell *(col.6, lines 30-64).*

Conclusion

4.   The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

Contact information

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for patents
P.O. Box 1450
Alexandria, VA 22313-1450

MN

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PRIMARY EXAMINER